



PTO/SB/21 (09-06)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3

Application Number

10/692,442

Filing Date

October 23, 2003

First Named Inventor

Whittaker

Art Unit

3635

Examiner Name

Gilbert, William V

Attorney Docket Number

UNS-103-B

**ENCLOSURES (Check all that apply)**☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/  
Incomplete Application☐Reply to Missing Parts  
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a  
Provisional Application☐Power of Attorney, Revocation  
Change of Correspondence Address☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

Remarks

☐

After Allowance Communication to TC

☐Appeal Communication to Board  
of Appeals and Interferences☐Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☒Other Enclosure(s) (please identify  
below):

-- Election (2 Pages); and

-- Postcard

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

YOUNG BASILE

Signature

Printed name

Todd L. Moore

Date

December 19, 2006

Reg. No.

36,874

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Todd L. Moore

Date

December 19, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Whittaker

Serial No. 10/692,442

Group Unit: 3635

Filing Date: October 23, 2003

Examiner: William V. Gilbert

Title: **APPARATUS FOR ISOLATING AND LEVELING A MACHINE  
FOUNDATION**

**ELECTION**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed November 20, 2006, Applicant hereby responds  
as follows:

In the outstanding Office Action, the Examiner required an election under 35 U.S.C. §  
121 of one of the following inventions:

1. Species I; Figures 1-4;
2. Species II; Figure 5;
3. Species III; Figure 6;
4. Species IV; Figure 7;
5. Species V; Figure 8.

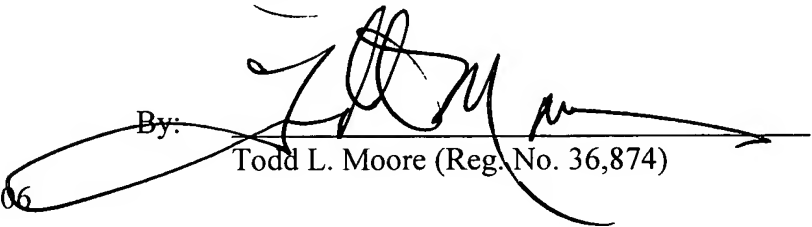
Applicant hereby elects, without traverse, to restrict prosecution of the present application to the invention identified by the Examiner as Species V; Figure 8. Applicant respectfully requests that the Examiner further prosecute the elected claims to issuance.

Applicant respectfully reserves the right to further prosecute the claims contained in Species I, II, III, and IV.

If the Examiner has any questions regarding this Election, Applicant invites the Examiner to contact Applicant's undersigned attorney at (734) 662-0270 or by email at tlmyb@aol.com.

Respectfully submitted,

By:

  
Todd L. Moore (Reg. No. 36,874)

DATED: December 19, 2006